



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q76843

Yoshida OSADA

Appln. No.: 10/649,628

Group Art Unit: 3724

Confirmation No.: 5545

Examiner: Boyer Dolinger ASHLEY

Filed: August 28, 2003

For: CUTTING MECHANISM FOR A SABER SAW

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,



Jeffrey A. Schmidt

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: November 5, 2004



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Sir:

The undersigned, on behalf of the petitioner, HITACHI KOKI CO., LTD., represents that the petitioner, HITACHI KOKI CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/817,189, filed on March 27, 2001 for CUTTING MECHANISM FOR A SABER SAW by virtue of an Assignment from all of the inventors thereof executed on March 21, 2001, recorded on March 27, 2001 at Reel 011655, Frame 0223, now issued as U.S. Patent 6,634,107 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/649,628 by virtue of an Assignment from all of the inventors thereof executed on July 29, 2003, recorded on August 28, 2003, at Reel 014443, Frame 0276.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/649,628 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,634,107, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/649,628 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,634,107 shall be the same as the legal title to said patent issuing from the above-captioned U.S.

TERMINAL DISCLAIMER
U.S. Patent Application Ser. No.: 10/649,628

Atty. Docket: Q76843

Application No. 10/649,628, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/649,628 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/649,628 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,634,107 in the event that U.S. Patent 6,634,107 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Respectfully submitted,



Jeffrey A. Schmidt
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